



Lebanon County

Intermediate Punishment Treatment
Program

Plan for 2024-2025

INTRODUCTION

Lebanon County’s leaders recognize the importance of reducing overcrowding at the Lebanon County Correctional Facility (LCCF) and maintaining the inmate population at manageable levels. The County accomplishes this by offering viable, cost-effective alternatives to incarceration for eligible offenders while protecting the public. County officials have authorized and revised these sentencing alternatives as part of County Intermediate Punishment (CIP) programming and, in accordance with Act 115 of 2019, as restrictive conditions of probation. Criminal-justice stakeholders in Lebanon County remain committed to reentry and the importance of working to ensure that offenders return successfully to the community and avoid further involvement with the criminal justice system.

Act 115 of 2019 replaced what had been formerly known as County Intermediate Punishment (CIP) with Restrictive Conditions of Probation. Since the enactment of that law, the County has been committed to working within its guidelines, including changes to eligibility under Title 42, Section 9721 (a.1), while maintaining the proactive practices that benefit both the offender and the community. This updated plan reviews these programs. For FY 2024-2025, the County requests funding for some, but not all, components of the plan.

The ongoing goal of the plan is to offer viable alternatives to incarceration as means of keeping the Average Daily Population (ADP) at the Lebanon County Correctional Facility (LCCF) at a manageable level, preferably below 300. The County is achieving this objective, though the ADP at the end of March 2024 had risen to 302. In early February 2024, the ADP was 282, a slight increase from the ADP of 272 at the end of December 2023. Rising ADP figures do not necessarily signal a trend that cannot be stabilized or reversed. (It is important to note that the ADP had exceeded 500 several years ago.) The average stay ranges from 25 to 40 days. However, inmates do continue to receive counseling and treatment post-release.

An ongoing concern has been the number of inmates with mental health issues—inmates who are on “maintenance” at the prison and whose needs have not always been addressed. Lebanon County MH/ID/EI collaborates with PrimeCare, the health-care provider contracted to deliver medical services to inmates at the LCCF, to devise effective care for this segment of the inmate population. MH/ID/EI also has an active Team MISA (Mental Illness and Substance Abuse) program in Lebanon County. Comprised of representatives from criminal justice departments, Team MISA works to divert low-risk offenders with mental illness and other special needs from prison. It also focuses on expanding community-treatment options and working toward early diversion for defendants with drug/alcohol or MH/ID issues. No additional funding from the County budget required. Team MISA meets monthly and has discussed, to date, the cases of 43 individuals, all of whom have a mental-health history. The purpose is to engage in meaningful dialogue about identified individuals and develop treatment plans to bring before the court.

The President Judge has also announced that the Court is contemplating the establishment of a mental-health treatment court in Lebanon County. This represents another proactive step toward providing those with mental-health needs with options that do not include incarceration.

Lebanon County believes that CIP/Restrictive Conditions of Probation should be less costly but more effective than incarceration. These conditions include a combination of supervision, treatment, and behavioral management.

Lebanon County also realizes that such programming is not appropriate for all offenders, but should be specifically oriented to individuals who, through restrictive probation and alternative sentencing program, will benefit from program contact without jeopardizing community safety. Probation Services has been utilizing the Level of Service/Case Management Inventory (LS/CMI) and Case Management Protocol as the evidence-based assessment tool to identify offenders' criminogenic needs and to determine whether to incarcerate an offender. In 2024, the County will switch from the LS/CMI to the nationally recognized Ohio Risk Assessment System (ORAS) as the chief assessment tool, which is now used by most counties in the Commonwealth. The County is using IP funding to train staff in this new system. In December 2022, the County was awarded a one-year evidence-based practices planning grant to implement a policy focused on assessing offenders prior to sentencing—immediately after an offender enters a guilty plea-- to determine risk levels and offenders' criminogenic needs. The County contends that pre-sentence assessments will assist the Court in determining a more appropriate sentence and subsequent levels of supervision/conditions of probation. The Office of Probation Services initiated this pre-sentence approach in January 2023. The practice of assessing offenders prior to sentencing is continuing in 2024-2025, but with ORAS, which has a more accurate pre-screening component. The plan is to eventually conduct pre-sentence assessments on all eligible offenders. In 2023, the County also utilized IP funding to convert from UCM to BTM as the chief case-management instrument. UCM expired in December 2023, necessitating the change. BTM's system is now firmly in place, though the county requests IP funding in FY 2024-2025 for continued maintenance.

CRIMINAL JUSTICE ADVISORY BOARD

The Lebanon County Criminal Justice Advisory Board (LCCJAB) hears reports on and discusses elements of this plan at CJAB meetings, which take place every other month. The focus is on ensuring that these alternatives to imprisonment remain effective.

The CJAB had to address a major revision to the treatment plan in the middle of FY 2023-2024 in response to the decision by the Lebanon County Commissioners to end the contract with Pennsylvania Counseling Services, Inc. to operate the Day Reporting Center (DRC). In place in downtown Lebanon since October 2017, the DRC served as many as 50 offenders at the outset, but the number declined steadily over the past two years. The County, however, remained under a contractual obligation to pay for at least 40 offenders monthly. The continued decline in participation rates and the realization that the number served would never rise to earlier levels made the program fiscally untenable. **IP Grant #40630** appropriated significant funding for DRC services for IP-eligible offenders. It also appropriated funding for PA Counseling Services to provide cognitive behavioral therapy (CBT) for IP offenders. This service was not related directly to the DRC and continued in 2024, though at lower funding levels than originally anticipated. No plans to continue this service in FY 2024-2025.

CIP/Restrictive Conditions of Probation Policies in Place

Lebanon County continues to utilize—and plans to continue utilizing--the following programs as viable alternatives to incarceration.

- Community Service
- Victim Restitution
- Work Release
- Drug Treatment Court
- Electronic Monitoring
- D.U.I. Court
- Veterans' Court
- Mental Health Court
- IP and Juvenile Offenders

Referrals are the primary methods of alerting the courts to individuals eligible for restrictive programming. Many referrals come from Probation/Parole Officers who make recommendations to the court as part of the pre-sentence investigation. Members of the District Attorney's staff as well as members of the Public Defender's Office also serve as significant sources for referrals.

Offender accountability is vital. If offenders fail to comply with program requirements, the program identifies and imposes specific sanctions, including incarceration.

ASSESSMENT OF CURRENT CIP PROGRAMS/RESTRICTIVE CONDITIONS OF PROBATION

Below is a review of existing programs that the County is using as Restrictive Conditions of Probation or offering as alternatives to incarceration. These programs meet the minimum standards for Intermediate Punishment listed in Appendix "D" of the PCCD's grant announcement:

COMMUNITY SERVICE—Probation Services coordinates Community Service efforts throughout the county in addition to managing a minimum supervision caseload. Offenders in this program clean the Probation Building. It is important to note that some juvenile offenders also perform community service as part of their restitution, including, for example, mopping floors and emptying waste baskets at the Probation Building (Juvenile Unit). The LCCF uses inmates for yard work at the prison as well as other county properties.

VICTIM RESTITUTION – Administered by the office of District Attorney, this program offers an alternative to traditional periods of probation and incarceration, enabling an offender to make restitution according to a predetermined schedule. Probation Services monitors and enforces collections. Failure to make restitution results in the imposition of more severe penalties, including appearing in Court.

WORK RELEASE – After a COVID-related hiatus, the Work Release Program was reinstated in January 2023. This has been a longstanding approach used by the Lebanon County Courts as a means of retaining prisoners while enabling them to provide for their families, to pay restitution, or to pay other court costs, fines, and fees. The program includes releasing eligible prisoners to work at an approved job in the community. The prisoner returns to the Correctional Facility at the conclusion of his/her work shift. At the end of February 2024, 15 inmates were taking advantage of work-release. Six inmates had been approved to seek employment.

DRUG TREATMENT COURT—The County established this specialty court in November 2022, following several months of planning and discussion, as an alternative to the former Renaissance-Crossroads Program, which had been rehabilitating eligible offenders for two decades. Crossroads was an intensive 34-month inpatient and outpatient program that had documented positive outcomes for most of the offenders participating over the years. In November 2021, PA Counseling announced the end of the residential in-patient phase of the program at the end of 2021.

As of April 1, 2024, 27 offenders were participating in the program, with the expectation that participation levels will continue to rise. An advisory team meets regularly with the President Judge to review applications, discuss participants' progress, and address any other issues that arise. Like D.U.I and Veterans Court, participants in the Drug Court appear regularly before the President Judge to report on their progress and experiences with the program. The President Judge is pleased with the program's progress, noting that it provides offenders with an excellent opportunity to avoid incarceration in State prison for two years or more for their drug-related offenses. The officer in charge of supervising offenders in the program is also an active participant in the advisory team. The plan is to continue this treatment court in 2024-2025.

ELECTRONIC MONITORING (EM) – The Office of Probation Services continues to utilize the Electronic Monitoring Program for eligible offenders as an alternative to incarceration. The county receives IP funding to offset 100 percent of the salary and part of the benefits of the chief probation officer in charge of the EM program. Since 2021, the average caseload of offenders on EM/HA has ranged from 50 to 60. Offenders participating in the three specialty courts also serve a phase of their sentence on house arrest. Probation Services projects that the Court will continue to make use of this restrictive condition of probation. It will remain a vital part of IP in 2024-2025 and beyond. The plan is to continue using IP funds to defray the full cost of the salary and part of the benefits of the chief officer in charge of offenders on this restrictive condition.

LEBANON COUNTY D.U.I. COURT PROGRAM – Started in 2008 and administered by the District Attorney's Office, the D.U.I. Court Program focuses on second and third-time D.U.I. offenders who have serious problems with alcohol abuse or issues of dependency. At its core, the program presents a heightened level of judicial involvement and intensive probation supervision coupled with rigorous treatment to address addiction.

The D.U.I. Treatment Court employs an aggressive approach designed to assist the participants in their rehabilitation through a supervised program of treatment and accountability. Offenders appear before the President Judge on a regular basis to discuss their progress, goals, and setbacks. The Lebanon County D.U.I. Court does not accept participants with mental-health issues that renders the offender unable to complete the program's requirements.

Key to the program's success is the use of substitute Electronic Monitoring and/or the use of a SCRAM unit (or other Alcohol Monitoring device) in lieu of incarceration. The program may also provide a combination of incarceration and Electronic Monitoring to fulfill the mandatory sentencing required by law.

The County funds this specialty program with local dollars, underscoring the County Commissioners' belief in the merits of the program and its success in keeping intoxicated drivers off the road and embracing sobriety. (Other methods of funding include a D.U.I. Court fee, an electronic monitoring fee, and a SCRAM monitoring fee.)

In recent times, the number of participants at any time has ranged from 18-25, though the number began to increase in the latter half of 2023. As of April 1, 2024, the number of participants was 38. The plan is to continue identifying eligible defendants under Act 115 to maintain participation levels in this successful program. The plan is to use IP funds to defray the full cost of the salary and part of the benefits of the officer in charge of supervising offenders in this program. The anticipated increase in participants could necessitate assigning a second adult probation officer to handle the caseload.

VETERANS' COURT PROGRAM—In January 2019, Lebanon County became the 21st county in the Commonwealth to have an official Veterans Court. As of April 1, 2024, the number of participants in this 24-month program was 18. The goal is to continue to increase the number of participants, with all offenders matched up with a volunteer mentor who is a veteran of the armed forces, preferably from the same branch as the offender. Members of the Veterans Court Review Team meet regularly to review applicants to the program and discuss participants' progress. Like the DUI Court, participants appear regularly before the President Judge to report on their progress in meeting the program's goals and expectations. The officer in charge of offenders in this program is also an active participant in the advisory team. Participants also engage in pro-social activities, such as an annual softball game featuring offenders and court-team members from several counties. Plan is to continue this court program.

MENTAL HEALTH TREATMENT COURT—As noted previously, President Judge John C. Tylwalk has announced his intention to implement a mental-health treatment court in Lebanon County. No specific timetable for actual implementation but planning for this new treatment court will commence in 2024.

IP AND JUVENILE OFFENDERS IN LEBANON COUNTY—The County has taken proactive steps over the years to ensure effective diversion programs for juvenile offenders. A day-treatment alternative for eligible juvenile offenders is in place, thanks to a collaborative effort

between the County and Youth Advocate Programs (YAP). YAP began the Community Treatment Center (CTC) program in July 2014 at a location in North Lebanon Township; in 2021, YAP relocated the program to a facility at a more centralized location in Lebanon City. This day program represents a viable, cost-effective alternative to sending offenders to out-of-county placement since Lebanon County does not have its own detention facility. As of 3-21-24, four juvenile offenders were participating in this program. Over the past year, the number of participants has rarely exceeded ten. The County does have a contract for guaranteed access to one detention bed at Abraxas Academy in Morgantown, PA. When this bed is already occupied, the County uses house arrest with electronic monitoring.

Juveniles ordered to participate in the treatment program also participate in the new Juvenile Treatment Court. They and their parent(s) appear before the Juvenile Court Judge and a treatment team monthly to review their progress, set goals, and address concerns. At any one time, five to six juveniles participate in the program, with the average length of participation being three to six months. The program also has a parent advocate who offers guidance on how parents can better support their children to get back on the right track. The advocate also provides parenting education for male offenders who are or will be teenage fathers.

In 2022, the County Office of Probation Services and the District Attorney's Office introduced Diversion Education for Marijuana Education (D.I.M.E.), which applies to first-time juvenile offenders charged with possessing marijuana and/or marijuana-related paraphernalia. The program requires eligible offenders to participate in an educational program focusing on the downside of using marijuana and other related substances. Classes are held monthly at the Probation Office. Offenders who successfully complete the program could have their cases expunged after six months. The average number of participants is, at present, three.

The plan is to continue these programs for juvenile offenders in 2024-2025.

USE OF EXISTING COMMUNITY AGENCIES AND ORGANIZATIONS

Many treatment alternatives require utilization of existing community resources in either direct or supporting roles. Lebanon County utilizes the following community agencies and organizations wherever possible. *Participation in any of the faith-based organizations (*) is strictly voluntary.*

- a) New Perspectives at White Deer Run
- b) Renaissance Counseling Center
- c) Veterans Administration Medical Center
- d) PA Careerlink
- e) Jubilee Ministries*
- f) Philhaven Hospital – Focus Program
- g) Salvation Army*
- h) Rescue Mission*
- i) Lebanon County Mental Health/Intellectual Disabilities/Early Intervention
- j) Lebanon County Area Agency on Aging
- k) Pennsylvania Department of Public Welfare
- l) TRIAD Treatment Specialists

Approved by the Lebanon County Criminal Justice Advisory Board on April 8, 2024

Prepared by John P. Shott, CJAB Planner